

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of:	)	
	)	
Connect America Fund;	)	WC Docket No. 10-90
	)	
Regarding Census Blocks Erroneously	)	
Shown as Unserved on National Broadband	)	
Map for Connect America Fund Phase 1	)	
Incremental Support	)	

To: Julie Veach, Chief  
Wireline Competition Bureau

**COMMENTS**

**OF CEQUEL COMMUNICATIONS, LLC d/b/a SUDDENLINK COMMUNICATIONS**

Cequel Communications, LLC d/b/a Suddenlink Communications (“Suddenlink” or “the Company”) hereby files these comments in response to the Wireline Competition Bureau’s request for comments<sup>1</sup> on the accuracy of the list of census blocks identified by the Bureau as unserved on the National Broadband Map (“Map”), and therefore eligible for funding under the Connect America Fund (“CAF”).<sup>2</sup>

**DISCUSSION**

Suddenlink currently serves those census blocks listed in Appendix A to this filing, all of which are inaccurately identified as “unserved” on the Map and the Bureau’s list.<sup>3</sup> Because Suddenlink currently serves these census blocks the Company respectfully informs the

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<sup>1</sup> See Public Notice, WC Docket No. 10-90, DA 12-1961 (Dec. 5, 2012), and Public Notice, WC Docket No. 10-90, DA 12-2001 (Dec. 10, 2012).

<sup>2</sup> See *id.* (citing <http://www.fcc.gov/maps/unserved-fixed-broadband>).

<sup>3</sup> Per the Bureau’s request, Suddenlink is also providing an electronic copy of the list of census blocks listed in Appendix A which are currently served by Suddenlink, and therefore erroneously identified as unserved on the Bureau’s list.

Commission that coverage in these census blocks is understated, and these blocks are improperly identified as unserved. For the reasons set forth herein, the census blocks erroneously identified as unserved should not be the basis for further subsidies under the CAF program, and Suddenlink therefore requests that the Commission decline to direct any further CAF subsidies to any service providers operating in such areas.

Set forth in Appendix A is a list of census blocks inaccurately identified as “unserved” in Suddenlink’s service territory in Louisiana, Missouri and Oklahoma, but which the Company currently serves through its provision of fixed terrestrial broadband service with advertised speeds of 3 Mbps downstream and 768 Kbps upstream. The attached list of census blocks served by Suddenlink was compiled and prepared by the company’s information technology specialists, with oversight by the company’s Vice President for government relations, who has certified to the accuracy of the facts set forth in these comments in the attached declaration.

It appears that the census blocks were erroneously identified as unserved due to the fact that the currently published version of the National Broadband Map is based on data as of December, 2011, but does not reflect data reported by the Company since that time. Recently, in the third quarter of 2012, Suddenlink reported to the appropriate state broadband mapping agencies the coverage information reflected in this filing, and therefore expects that the updated version of the Map will show that these areas are in fact served by Suddenlink.<sup>4</sup>

The relief requested herein is consistent with the Commission’s intent to provide support for broadband deployment only in those “areas that are unserved by any broadband provider.”<sup>5</sup>

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<sup>4</sup> The Bureau, of course, anticipated that this circumstance may arise for some commenting parties in this proceeding. See Public Notice, WC Docket 10-90, DA 12-1961 at n. 2 (Dec. 5, 2012).


<sup>5</sup> *In re Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing an Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform – Mobility Fund*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 at ¶ 137 (2011) (*CAF Order*).

Directing support to providers proposing to serve areas already served by Suddenlink would breach notions of competitive neutrality, and undermine the significant investments made by Suddenlink to serve these areas.

### CONCLUSION

Accordingly, because Suddenlink currently serves those census blocks listed in Appendix A to this filing, the Bureau should remove such census blocks from the current list of “unserved” blocks and decline to direct any CAF subsidies to any service providers proposing to operate in these areas.

Respectfully submitted,

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Filed: January 9, 2013

**DECLARATION OF MICHAEL ZARRILLI**  
**ON BEHALF OF**  
**CEQUEL COMMUNICATIONS, LLC**  
**d/b/a SUDDENLINK COMMUNICATIONS**

I, Michael Zarrilli, do hereby declare under penalty of perjury that the foregoing is true and correct:

1. I am employed by Suddenlink as the Vice President of Government Relations and Senior Counsel; and
2. I have read the foregoing Comments, and Appendix, and based upon my personal knowledge of the facts and representations set forth herein, believe them to be true and accurate.



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Michael Zarrilli  
Vice President  
Government Relations & Senior Counsel  
Suddenlink Communications

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Dated: January 9, 2013

## **Appendix A**

### **Census Blocks Served by Cequel Communications, Inc. d/b/a Suddenlink Communications Erroneously Identified as Unserved Census Blocks on the National Broadband Map:**

1. 190119602003023
2. 190119602003027
3. 190119602003029
4. 190119602003030
5. 190119602003032
6. 190119602003033
7. 190119602003068
8. 190119602003071
9. 190119602003084
10. 190119602003090
11. 190119602003091
12. 190119603004001
13. 190119604001003
14. 190119604001007
15. 190119604001008
16. 190119604001009
17. 190119604001014
18. 190119604001015
19. 190119604001016
20. 190119604001017
21. 190119604001030
22. 190119604001034
23. 190119604001035
24. 190119604001037
25. 190119604001038
26. 190119604001040
27. 190119604001041
28. 190119604001043
29. 190119604001047
30. 190119604001050
31. 190119604001060
32. 190119604001064
33. 190119604001069
34. 190119604001071
35. 190119604001077
36. 190119604001078
37. 190119604001089
38. 190119604001095
39. 190119604002000

40.	190119604002004
41.	190119604002023
42.	190119604002025
43.	190119604002027
44.	190119604002031
45.	190119604002038
46.	190119604002043
47.	190119604002057
48.	190119604002058
49.	190119604002059
50.	190119604002068
51.	190119605001068
52.	190119605001069
53.	190119605001070
54.	190119605001071
55.	190119605001072
56.	190119605001073
57.	190119605001074
58.	190119605001075
59.	190119605001076
60.	190119605001079
61.	190119605001082
62.	190119605001084
63.	190119605001085
64.	260210024001039
65.	260210024002042
66.	260210025001008
67.	260210025001016
68.	260539501002016
69.	260539502001009
70.	260539502001010
71.	260539502001027
72.	260539502001054
73.	260539502002051
74.	260539503001023
75.	260539503001025
76.	260539503003063
77.	260539504001000
78.	260539504001001
79.	260539504001002
80.	260539504001003
81.	260539504001007
82.	260539504001008
83.	260539504001011
84.	260539504001012
85.	260539504001013

86.	260539504001014
87.	260539504001018
88.	260539504001019
89.	260539504001020
90.	260539504001023
91.	260539504001024
92.	260539504001025
93.	260539504001034
94.	260539504002000
95.	260539504002005
96.	260539504002006
97.	260539504002007
98.	260539504002008
99.	260539504002009
100.	260539504002011
101.	260539504002014
102.	260539504002015
103.	260539504002022
104.	260539504002027
105.	260539504002028
106.	260539504002029
107.	260539504002031
108.	260539504002034
109.	260539504002040
110.	261099602003002
111.	370370208001063